

Case Actions

Reported Date	26-Aug-2019	Approved	<input type="checkbox"/>
Subject	FINAL SUMMARY		
Occured Date From	16-Jun-2019	Occured Date To	26-Aug-2019
Status	Pending		
Type	General Follow-Up	Time Spent	960.00
Approved By		Approved Date	
Notes :	FINAL SUMMARY		

On Sunday, 6/16/2019, approximately 12:55 AM, law enforcement personnel with the Alabama State Law Enforcement Agency, State Bureau of Investigations, were directed to the 3200 block Allison-Bonnett Memorial Drive, Hueytown, Alabama 35023, within Jefferson County, in reference to a police officer-involved shooting.

State Bureau of Investigations (SBI) Special Agent James Carney (hereinafter referred to as "SA Carney") was assigned as the case agent and was supervisory directed to perform a special inquiry investigation to gather facts and determine the events that led to the shooting.

Preliminary information appeared to indicate that Aric Lydell Mitchell (hereinafter referred to as "MITCHELL"), employed as a police officer with the City of Birmingham, had fired gunshots that resulted in the death of Jamarcus Dejuan Moore (hereinafter referred to as "MOORE") and the wounding (non-life-threatening leg wound) of Samantha Ann Hardin (hereinafter referred to as "HARDIN").

As a result of the special inquiry investigation, a Final Summary of facts that were found and/or believed to exist are detailed hereinafter.

On Saturday, 6/15/2019, approximately 11:29 PM, MITCHELL was on-duty and actively performing duties related to employment as a police officer with the Birmingham Police Department (hereinafter referred to as "BPD") and assignment to the BPD City-Wide Task Force.

MITCHELL was driving a marked BPD police vehicle (unit #441; 2014 Ford Explorer) in the Ensley area of Birmingham and attempted to stop a 2002 Toyota Camry motor vehicle (hereinafter referred to as "Toyota Camry") for suspected drug activity in the area of 21st Street Ensley at Avenue I.

The Toyota Camry was driven by MOORE with one front seat passenger, HARDIN. MOORE refused to stop, fled and/or attempted to elude after having received a signal from MITCHELL via police vehicle lights and siren to bring the Toyota Camry to a stop.

Note: Information was later developed that the Toyota Camry had been purchased by HARDIN; however, no information was found to exist or show that the Toyota Camry had been registered with the State of Alabama by HARDIN; no license plate had been registered to the Toyota Camry and it appeared that the license plate had been "switched" and/or was not displayed on the correct motor vehicle.

The Toyota Camry was pursued by MITCHELL and other BPD officers, which continued onto Interstate 59 South where gunshots were reportedly fired from the Toyota Camry by an occupant (MOORE or HARDIN).

Note: During review of video recordings, a sound consistent with that of gunfire was believed to have been recorded and flashes consistent with that of muzzle flash (the flash of visible light as high-temperature and high-pressure gases are expelled from the muzzle of a firearm as it is fired) appeared to be visible from inside the Toyota Camry.

It appeared that gunshots had been fired out the front passenger's side window of the Toyota Camry by an occupant (MOORE or HARDIN), which appeared to have been fired at or near the occupant(s) of a 4-door Chrysler motor vehicle (hereinafter referred to as "CIVILIAN VEHICLE 1") in the area of Interstate 59 South between mile markers 115 and 114.



2:21-cv-01002-AMM
01/29/2024
Jury Trial
Defendant Exhibit No. 19

Note: Investigative finding based on the location of muzzle flash observed in the video recordings because it did not appear that an occupant had extended the firearm outside the window of the Toyota Camry; rather, it appeared that the firearm had been fired from inside the Toyota Camry.

Additionally, it appeared that gunshot(s) had been fired out the front passenger's side window of the Toyota Camry by an occupant, which appeared to have been fired at or near the occupant(s) of a 4-door motor vehicle (hereinafter referred to as "CIVILIAN VEHICLE 2") in the area of Interstate 59 South between mile markers 115 and 114.

Note: No information was found to exist or show that any occupant(s) of CIVILIAN VEHICLE 1 or CIVILIAN VEHICLE 2 had reported the incident or had been identified by law enforcement.

Although the gunfire from the Toyota Camry had been heard and reported by multiple BPD officers (earwitnesses) to include, but not limited to MITCHELL, BPD Officer Timothy Turner Jr. (hereinafter referred to as "TURNER"), and BPD Officer Michaela Hood (hereinafter referred to as "HOOD"), no information was found to exist or show that any person had seen or could identify (eyewitness) which occupant of the Toyota Camry (MOORE or HARDIN) had fired the gunshots.

The Toyota Camry exited Interstate 59 South and continued into the City of Hueytown, where the pursuit ended with a motor vehicle collision.

Based on review of video recordings, it appeared that the police vehicle driven by MITCHELL collided with the Toyota Camry driven by MOORE as the Toyota Camry turned right from Hueytown Road onto Allison-Bonnett Memorial Drive (initial collision).

After the initial collision, a secondary collision occurred when the police vehicle driven by MITCHELL and marked BPD police vehicle (unit #25; 2015 Ford Explorer) driven by HOOD collided.

It appeared that the impact of the initial collision between the police vehicle driven by MITCHELL and the Toyota Camry driven by MOORE caused the Toyota Camry to come to rest in the 3200 block of Allison-Bonnett Memorial Drive, Hueytown.

It appeared that the secondary collision between the police vehicle driven by MITCHELL and the police vehicle driven by HOOD caused the airbags to deploy and disabled operation of the police vehicle driven by MITCHELL.

Note: Law enforcement personnel with the Alabama State Law Enforcement Agency, Department of Public Safety (DPS), responded to the scene to investigate the vehicle collision. DPS report and/or diagram are included with the SBI investigative case file.

Thereafter, it appeared that MITCHELL approached the driver's side of the Toyota Camry and fired gunshots, which caused the Toyota Camry driven by MOORE to be stopped.

At approximately 11:56 PM, Saturday, 6/15/2019, BPD officers notified dispatch of the shooting and requested medical response to the scene.

At approximately 12:02 AM, Sunday, 6/16/2019, personnel with Hueytown Fire and Rescue and Shoals Ambulance responded to the scene (run #191320, dispatch time 6/15/2019, 11:56 PM; arrival time 6/16/2019, 12:02 AM).

MOORE was found unresponsive and pronounced deceased, 6/16/2019, 12:11 AM.

HARDIN was treated at the scene and was transported via Shoals Ambulance to UAB Hospital, transport time 6/16/2019, 12:22 AM.

Note: Records were provided by the Hueytown Police Department regarding response to the initial scene and are included with the SBI investigative case file. Records from Shoals Ambulance and UAB Hospital were subpoenaed and are included with the SBI investigative case file.

MITCHELL, HOOD, and TURNER were each transported to UAB Hospital for treatment.

Note: Statements were provided by MITCHELL, HOOD, and TURNER, which are included in the SBI investigative case file.

On 6/16/2019, approximately 1:40 AM, law enforcement personnel with the SBI responded to the scene. The scene was found to have been secured by Christopher Finch, BPD Officer / Evidence Technician, and other law enforcement personnel with BPD.

During processing of the initial scene, one (1) Taurus TH9C (TLY24446) firearm was collected from the driver's side floorboard of the Toyota Camry, which was found to have one (1) round chambered and a magazine containing what appeared to be a total of thirteen (13) bullets (magazine appeared to have a total capacity of seventeen (17) bullets), and was believed to be the firearm that had been fired from the Toyota Camry during the pursuit.

Additionally, Christopher Finch, BPD Officer / Evidence Technician, had collected one (1) firearm / handgun from MITCHELL, found to be Smith & Wesson M&P 9 (DWU0416) containing twelve (12) Hornady 9mm bullets.

Thereafter, on 6/16/2019 approximately 1:40 AM – 6:00 AM, law enforcement personnel with the SBI investigated and/or processed the initial scene and collected items of evidentiary value as documented in the investigative case file.

Mark Stewart, Deputy Coroner, Jefferson County Coroner / Medical Examiner's Office (JCCME) responded to the scene; made positive identification of MOORE and made death notification to family members of MOORE.

MOORE (deceased) was transported to JCCME as directed by Mark Stewart. Thereafter, Brandi C. McCleskey, M.D., JCCME Medical Examiner, performed an autopsy of MOORE.

Autopsy Findings [REDACTED] appeared to document the following, in part, regarding MOORE:

- 1.) MOORE died as a result of injury to heart and lungs due to a gunshot wound of the chest.

[REDACTED]

[REDACTED]

[REDACTED]

BPD provided copies of all reports, dispatch records and/or audio recordings, in-car video camera recordings, and body-worn camera video recordings related to the officer-involved shooting (reference BPD case number: 2019-120888). Documentation is included in the SBI investigative case file.

Based on the review of the video recordings, facts were believed to exist and show the following:

- 1.) It appeared that MOORE operated the Toyota Camry and failed to stop as signaled by MITCHELL.
- 2.) It appeared that MOORE fled and/or attempted to elude police during a pursuit that began in the Ensley area of Birmingham and ended in the City of Hueytown.
- 3.) During the pursuit, it appeared that gunshots were fired out the front passenger's side window from an occupant of the Toyota Camry (MOORE or HARDIN), which appeared to have been fired at or near the occupant(s) of a 4-door Chrysler motor vehicle, CIVILIAN VEHICLE 1, in the area of Interstate 59 South between mile markers 115 and 114.

4.) Additionally, it appeared that gunshot(s) was fired out the front passenger's window from an occupant of the Toyota Camry (MOORE or HARDIN), which appeared to have been fired at or near the occupant(s) of a 4-door motor vehicle, CIVILIAN VEHICLE 2, in the area of Interstate 59 South between mile markers 115 and 114.

5.) It appeared that a vehicle collision occurred by the police vehicle driven by MITCHELL, the Toyota Camry driven by MOORE, and the police vehicle driven by HOOD.

6.) It appeared that MITCHELL approached the driver's side of the Toyota Camry with firearm / handgun drawn and fired gunshots into the Toyota Camry.

7.) MOORE died as a result of the gunfire and was transported to the JCCME.

8.) HARDIN was injured as a result of the gunfire and was transported via Shoals Ambulance to UAB Hospital for treatment.

As detailed below, facts and items of evidentiary value were believed to exist and show that gunshots were fired from an occupant of the Toyota Camry (MOORE or HARDIN) during the pursuit:

1.) A total of four (4) shell casings were collected from inside the Toyota Camry. (photographed during initial scene processing; thereafter, collected during execution of search warrant; Evidence items #19, #33).

2.) Sounds consistent with that of gunshots appeared to have been recorded via video recordings from in-car cameras of BPD police vehicles and/or body-worn cameras worn by BPD personnel.

3.) Flashes of light, consistent with that of muzzle flash, appeared to have been recorded via video recordings from in-car cameras of BPD police vehicles regarding gunshots fired by an occupant of the Toyota Camry (MOORE or HARDIN) during the pursuit.

As detailed below, facts and items of evidentiary value were believed to exist and show that gunshots were fired by MITCHELL into the Toyota Camry which struck MOORE and HARDIN:

1.) Sounds consistent with that of gunshots appeared to have been recorded via video recordings.

2.) A total of four (4) shell casings were collected from the ground around the Toyota Camry during processing of the initial scene (Evidence items #3, #4, #5, #5a), which were believed to have been fired by MITCHELL.

3.) Evidence collected during the course of the special inquiry investigation included bullets and/or or projectiles and bullet fragments, which were believed to have resulted from the gunshots fired by MITCHELL, as listed below:

a.) Two (2) bullet fragments, likely from one (1) bullet, collected from inside driver's side door of Toyota Camry (Evidence item #24)

b.) One (1) bullet fragment collected from center console between front seats of Toyota Camry (Evidence item #29)

c.) One (1) bullet fragment collected from inside front passenger's side foam seat cushion of Toyota Camry (Evidence item #37)

d.) One (1) "bullet recovered from torso" during autopsy of MOORE (Evidence item #38k)

e.) Bullet fragments "recovered from right forearm" during autopsy of MOORE (Evidence item #38j)

[Note: Analysis results to be included with case file upon completion of ADFS examination.]

Upon review of documentation provided by BPD, information was reported that gunshots had been fired from the Toyota Camry by an occupant (MOORE or HARDIN) at the pursuing police vehicles during the pursuit.

Because gunshots had been heard, observed and/or reported to have been fired from the Toyota Camry by an occupant, it was believed to be reasonable that the law enforcement personnel involved in the pursuit would have had reason to believe that the gunshots had been fired and/or aimed at the pursuing police vehicles and/or the law enforcement officers involved in the pursuit.

Upon review of video recordings provided by BPD, it did not appear that gunshots had been fired by an occupant of the Toyota Camry at the pursuing police vehicles rather, it appeared that gunshots had been fired from the Toyota Camry at CIVILIAN VEHICLE 1 and CIVILIAN VEHICLE 2

Note: Investigative finding based on the position of muzzle flash visible from the Toyota Camry in relation to the position of pursuing police vehicles.

On 7/18/2019, items of evidentiary value collected during the special inquiry investigation were submitted for analysis to the Alabama Department of Forensic Sciences (ADFS), Birmingham Regional Laboratory, 2026 Valleydale Road, Hoover, AL 35244.

Firearms/tool marks examination was requested to definitively determine from which firearm the bullets, bullet fragments, and shell casings had been fired regarding the evidence collected.

[Note: Analysis results to be included with case file upon completion of ADFS examination.]

As a result of the special inquiry investigation, facts were believed to exist and show the following regarding MOORE.

- 1.) MOORE was operating the Toyota Camry and refused to stop for law enforcement, fled and/or attempted to elude, while in the commission of unlawful and/or felonious criminal activity while armed with a Taurus TH9C (TLY24446) firearm.
- 2.) No facts were found to exist or show that MOORE had surrendered, stopped, or complied with law enforcement during the events that led to the officer-involved shooting.
- 3.) Criminal offenses believed to have been committed by MOORE during the events that resulted in the shooting included, but were not limited to, the following:

[REDACTED]

[REDACTED]

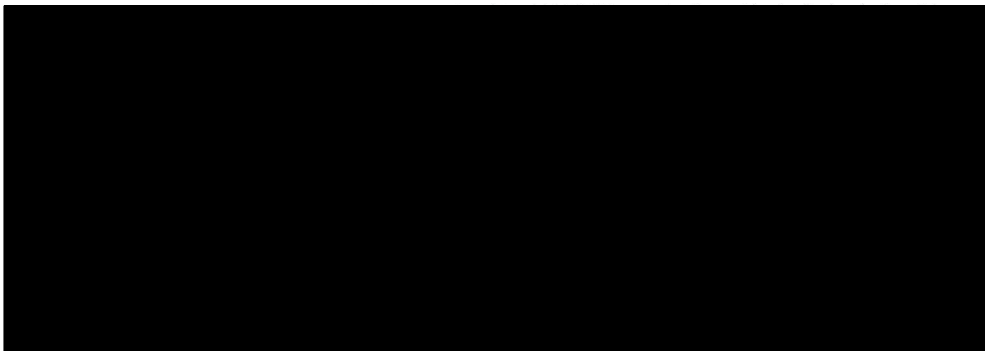
- c.) Fleeing or attempting to elude law enforcement officer (Class C felony, violation of §13A-10-52, Code of Alabama 1975, because the flight or attempt resulted in physical injury to a third party, to wit: HARDIN).

[REDACTED]



As a result of the special inquiry investigation, facts were believed to exist and show the following regarding HARDIN.

- 1.) HARDIN was an occupant in the Toyota Camry [REDACTED]
[REDACTED]
- 2.) No facts were found to exist or show that HARDIN had surrendered, stopped, or complied with law enforcement during the events that led to the officer-involved shooting.



As a result of the special inquiry investigation, facts were believed to exist and show the following regarding MITCHELL.

- 1.) MITCHELL was on-duty, performing duties related to employment as a police officer, prior to and during the events that led to the officer-involved shooting.
- 2.) MITCHELL articulated suspicion that the occupants of the Toyota Camry (MOORE and HARDIN) were engaged in criminal activity and attempted to perform a stop.
- 3.) MITCHELL and other law enforcement personnel pursued the Toyota Camry, which failed to stop and attempted to elude, until the Toyota Camry was stopped and/or disabled in Hueytown.
- 4.) MITCHELL fired gunshots and/or was believed to have fired gunshots that resulted in the death of MOORE and the wounding of HARDIN.

The SBI investigative case file would be presented to the Office of the District Attorney, Danny Carr, Tenth Judicial District, Jefferson County, Birmingham Division, for prosecutorial review.

No further investigation was performed by the SBI.